

**Calendar No. 463**

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3389**

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**AN ACT**

To reauthorize the National Sea Grant College  
Program Act, and for other purposes.

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JUNE 27, 2002

Read twice and placed on the calendar



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107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 3389**

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IN THE SENATE OF THE UNITED STATES

JUNE 20, 2002

Received

JUNE 27, 2002

Read twice and placed on the calendar

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**AN ACT**

To reauthorize the National Sea Grant College Program Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Sea Grant  
5 College Program Act Amendments of 2002”.

6 **SEC. 2. AMENDMENTS TO FINDINGS.**

7 Section 202(a)(6) of the National Sea Grant College  
8 Program Act (33 U.S.C. 1121(a)(6)) is amended by strik-  
9 ing the period at the end and inserting “, including strong

1 collaborations between Administration scientists and sci-  
2 entists at academic institutions.”.

3 **SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA**  
4 **GRANT COLLEGE PROGRAM.**

5 (a) QUADRENNIAL STRATEGIC PLAN.—Section 204  
6 (c)(1) of the National Sea Grant College Program Act (33  
7 U.S.C. 1123 (c)(1)) is amended to read as follows:

8 “(1) The Secretary, in consultation with the  
9 panel, sea grant colleges, and sea grant institutes,  
10 shall develop at least every 4 years a strategic plan  
11 that establishes priorities for the national sea grant  
12 college program, provides an appropriately balanced  
13 response to local, regional, and national needs, and  
14 is reflective of integration with the relevant portions  
15 of the strategic plans of the Department of Com-  
16 merce and of the Administration.”.

17 (b) RANKING OF PROGRAMS.—Section 204(d)(3)(A)  
18 of the National Sea Grant College Program Act (33  
19 U.S.C. 1123(d)(3)(A)) is amended by inserting “and com-  
20 petitively rank” after “evaluate”.

21 (c) FUNCTIONS OF DIRECTOR.—Section  
22 204(d)(3)(B) of the National Sea Grant College Program  
23 Act (33 U.S.C. 1123(d)(3)(B)) is amended by striking  
24 “and” after the semicolon at the end of clause (ii) and  
25 by adding at the end the following:

1                   “(iv) encourage and promote coordi-  
2                   nation and cooperation between the re-  
3                   search, education, and outreach programs  
4                   of the Administration and those of aca-  
5                   demic institutions; and”.

6 **SEC. 4. COST SHARE.**

7           Section 205(a) of the National Sea Grant College  
8 Program Act (33 U.S.C. 1124(a)) is amended by striking  
9 “section 204(d)(6)” and inserting “section 204(c)(4)(F)”.

10 **SEC. 5. FELLOWSHIPS.**

11           (a) ACCESS.—Section 208(a) of the National Sea  
12 Grant College Program Act (33 U.S.C. 1127(a)) is  
13 amended by adding at the end the following: “The Sec-  
14 retary shall strive to ensure equal access for minority and  
15 economically disadvantaged students to the program car-  
16 ried out under this subsection. Not later than 1 year after  
17 the date of the enactment of the National Sea Grant Col-  
18 lege Program Act Amendments of 2002, and every 2 years  
19 thereafter, the Secretary shall submit a report to the Con-  
20 gress describing the efforts by the Secretary to ensure  
21 equal access for minority and economically disadvantaged  
22 students to the program carried out under this subsection,  
23 and the results of such efforts.”.

1 (b) POSTDOCTORAL FELLOWS.—Section 208(c) of  
2 the National Sea Grant College Program Act (33 U.S.C.  
3 1127(c)) is repealed.

4 **SEC. 6. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW**  
5 **PANEL.**

6 Section 209(c)(2) of the National Sea Grant College  
7 Program Act (33 U.S.C. 1128(c)(2)) is amended by strik-  
8 ing the first sentence and inserting the following: “The  
9 term of office of a voting member of the panel shall be  
10 3 years for a member appointed before the date of enact-  
11 ment of the National Sea Grant College Program Act  
12 Amendments of 2002, and 4 years for a member ap-  
13 pointed or reappointed after the date of enactment of the  
14 National Sea Grant College Program Act Amendments of  
15 2002. The Director may extend the term of office of a  
16 voting member of the panel appointed before the date of  
17 enactment of the National Sea Grant College Program Act  
18 Amendments of 2002 by up to 1 year.”.

19 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

20 Subsections (a), (b), and (c) of section 212 of the  
21 National Sea Grant College Program Act (33 U.S.C.  
22 1131) are amended to read as follows:

23 “(a) AUTHORIZATION.—

1           “(1) IN GENERAL.—There is authorized to be  
2 appropriated to the Secretary to carry out this  
3 title—

4                   “(A) \$60,000,000 for fiscal year 2003;

5                   “(B) \$75,000,000 for fiscal year 2004;

6                   “(C) \$77,500,000 for fiscal year 2005;

7                   “(D) \$80,000,000 for fiscal year 2006;

8                   “(E) \$82,500,000 for fiscal year 2007; and

9                   “(F) \$85,000,000 for fiscal year 2008.

10           “(2) PRIORITY ACTIVITIES.—In addition to the  
11 amount authorized under paragraph (1), there is au-  
12 thorized to be appropriated for each of fiscal years  
13 2003 through 2008—

14                   “(A) \$5,000,000 for competitive grants for  
15 university research on the biology and control  
16 of zebra mussels and other important aquatic  
17 nonnative species;

18                   “(B) \$5,000,000 for competitive grants for  
19 university research on oyster diseases, oyster  
20 restoration, and oyster-related human health  
21 risks;

22                   “(C) \$5,000,000 for competitive grants for  
23 university research on the biology, prevention,  
24 and forecasting of harmful algal blooms, includ-  
25 ing *Pfiesteria piscicida*; and

1           “(D) \$3,000,000 for competitive grants for  
2           fishery extension activities conducted by sea  
3           grant colleges or sea grant institutes.

4           “(b) PROGRAM ELEMENTS.—

5           “(1) LIMITATION.—No more than 5 percent of  
6           the lesser of—

7           “(A) the amount authorized to be appro-  
8           priated; or

9           “(B) the amount appropriated,  
10          for each fiscal year under subsection (a)(1) may be  
11          used to fund the program element contained in sec-  
12          tion 204(b)(2).

13          “(2) USE FOR OTHER OFFICES OR PRO-  
14          GRAMS.—Sums appropriated under the authority of  
15          subsection (a)(2) shall not be available for adminis-  
16          tration of this title by the National Sea Grant Of-  
17          fice, for any other Administration or department  
18          program, or for any other administrative expenses.

19          “(c) DISTRIBUTION OF FUNDS.—In any fiscal year  
20          in which the appropriations made under subsection (a)(1)  
21          exceed the amounts appropriated for fiscal year 2002 for  
22          the purposes described in such subsection, the Secretary  
23          shall distribute any excess amounts (except amounts used  
24          for the administration of the sea grant program) to—

1           “(1) sea grant programs that, based on the  
2           evaluation and competitive ranking required under  
3           section 204(d)(3)(A), are determined to be the best  
4           managed and to carry out the highest quality re-  
5           search, education, extension, and training activities;

6           “(2) national strategic investments authorized  
7           under section 204(b)(4);

8           “(3) a college, university, institution, associa-  
9           tion, or alliance for activities that are necessary for  
10          it to be designated as a sea grant college or sea  
11          grant institute; or

12          “(4) a sea grant college or sea grant institute  
13          designated after the date of enactment of the Na-  
14          tional Sea Grant College Program Act Amendments  
15          of 2002.”.

16 **SEC. 8. ANNUAL REPORT ON PROGRESS IN BECOMING DES-**  
17 **IGNATED AS SEA GRANT COLLEGES AND SEA**  
18 **GRANT INSTITUTES.**

19          Section 207 of the National Sea Grant College Pro-  
20          gram Act (16 U.S.C. 1126) is amended by adding at the  
21          end the following:

22          “(e) ANNUAL REPORT ON PROGRESS.—

23                  “(1) REPORT REQUIREMENT.—The Secretary  
24                  shall report annually to the Committee on Resources  
25                  and the Committee on Science of the House of Rep-

1       representatives, and to the Committee on Commerce,  
2       Science, and Transportation of the Senate, on ef-  
3       forts and progress made by colleges, universities, in-  
4       stitutions, associations, and alliances to become des-  
5       ignated under this section as sea grant colleges or  
6       sea grant institutes, including efforts and progress  
7       made by sea grant institutes in being designated as  
8       sea grant colleges.

9               “(2) TERRITORIES AND FREELY ASSOCIATED  
10       STATES.—The report shall include description of—

11               “(A) efforts made by colleges, universities,  
12               associations, institutions, and alliances in  
13               United States territories and freely associated  
14               States to develop the expertise necessary to be  
15               designated as a sea grant institute or sea grant  
16               college;

17               “(B) the administrative, technical, and fi-  
18               nancial assistance provided by the Secretary to  
19               those entities seeking to be designated; and

20               “(C) the additional actions or activities  
21               necessary for those entities to meet the quali-  
22               fications for such designation under subsection  
23               (a)(1).”.

1 **SEC. 9. COORDINATION.**

2 Not later than February 15 of each year, the Under  
3 Secretary of Commerce for Oceans and Atmosphere and  
4 the Director of the National Science Foundation shall  
5 jointly submit to the Committees on Resources and  
6 Science of the House of Representatives and the Com-  
7 mittee on Commerce, Science, and Transportation of the  
8 Senate a report on how the oceans and coastal research  
9 activities of the National Oceanic and Atmospheric Ad-  
10 ministration, including the Coastal Ocean Program and  
11 the National Sea Grant College Program, and of the Na-  
12 tional Science Foundation will be coordinated during the  
13 fiscal year following the fiscal year in which the report  
14 is submitted. The report shall describe in detail any over-  
15 lapping ocean and coastal research interests between the  
16 agencies and specify how such research interests will be  
17 pursued by the programs in a complementary manner.

18 **SEC. 10. COASTAL OCEAN PROGRAM.**

19 Section 201(c) of Public Law 102-567 is amended  
20 by—

21 (1) striking “Of the sums authorized under  
22 subsection (b)(1), \$17,352,000 for each of the fiscal  
23 years 1992 and 1993 are authorized to be appro-  
24 priated” and inserting “There are authorized to be  
25 appropriated to the Secretary of Commerce

